

Resolution No.: 16-959
Introduced: March 31, 2009
Adopted: May 13, 2009

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council at the Request of the County Executive

SUBJECT: Supplemental Appropriation to the FY09 Capital Budget and Amendment to the FY09-14 Capital Improvements Program Montgomery County Government Department of Police, Montgomery County Fire and Rescue Service, Department of General Services, Department of Transportation, Office of Emergency Management and Homeland Security; Smart Growth Initiative – Public Safety Headquarters (No. 470906) \$12,893,000; Source of Funds: GO Bonds and Interim Financing

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.

3. On March 30, 2009, the County Executive forwarded to the Council a supplemental appropriation and amendment to the CIP lease-purchase the GE Tech Park Building and renovate it for use as the County Public Safety Headquarters, Police 1st District Station, and office space for County Government programs. The Public Safety Memorial will be built at the site. These amendments were introduced at the Council's March 31, 2009 session.

4. The County Executive recommends the following capital project appropriation.

<u>Name</u>	<u>Project</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Public Safety	470906	Planning, Design,	\$2,017, 000	GO Bonds
Headquarters		Supervision and Construction	\$10,876,000	Interim Financing

5. The Executive has stated that his recommended amendment is consistent with criteria for amending the CIP because the project supports significant economic development which will strengthen the fiscal capacity of the County Government, and offers a significant opportunity which will be lost if not taken at this time.

6. The Council's Public Safety (PS) and Transportation, Infrastructure, Energy, and Environment (T&E) Committees held a joint worksession on May 8th and recommended approval of the lease-purchase and renovation of the building currently known as the GE Tech Park Building for use as the Public Safety Headquarters, 1st District Station, and offices for County Government programs and as the site for construction of the Public Safety Memorial. The joint PS and T&E Committee is recommending approval of the supplemental appropriation as recommended by the Executive, amendments to the Executive's recommended funding schedule, and is specifying that \$200,000 included in the County Executive's recommendation is for construction of the Public Safety Memorial.

7. Notice of public hearing was given and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

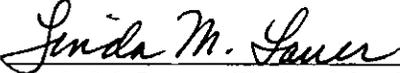
The FY09-14 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description forms and supplemental appropriations are approved as follows:

<u>Name</u>	<u>Project</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Public Safety Headquarters	470906	Planning, Design, Supervision and Construction	\$2,017,000 \$10,876,000	GO Bonds Interim Financing

\$200,000 of funds in the Public Safety Headquarters project is reserved to construct the Public Safety Memorial.

As required by Montgomery County Charter 302 and Montgomery County Code Section 20-1, no funds approved by this supplemental appropriation may be spent until Bill 14-09, Special Capital Improvements Project – Public Safety Headquarters, has become effective.

This is a correct copy of Council action.


 Linda M. Lauer, Clerk of the Council

Public Safety Headquarters -- No. 470906

Category
Subcategory
Administering Agency
Planning Area

Public Safety
Other Public Safety
General Services
North Central Transit Corridor

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

May 14, 2009
No
None.
Planning Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	2,413	0	0	2,413	919	1,107	387	0	0	0	0
Land	76,340	0	0	76,340	0	0	0	0	0	76,340	0
Site Improvements and Utilities	234	0	0	234	0	88	146	0	0	0	0
Construction	24,630	0	0	24,630	0	15,442	9,188	0	0	0	0
Other	3,823	0	0	3,823	55	316	3,452	0	0	0	0
Total	107,440	0	0	107,440	974	16,953	13,173	0	0	76,340	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	107,440	0	0	28,357	974	1,043	0	0	0	26,340	79,083
Short-Term Financing	0	0	0	79,083	0	15,910	13,173	0	0	50,000	-79,083
Total	107,440	0	0	107,440	974	16,953	13,173	0	0	76,340	0

DESCRIPTION

This project is part of the Smart Growth Initiative Program and provides for acquisition, planning, design and construction for the relocation of a number of County facilities to 100 Edison Park Drive in Gaithersburg known as the GE Building/GE Technology Park. Facilities and programs to be relocated from their current location as part of this project include: the Montgomery County Police Headquarters from Research Blvd., the Montgomery County Fire and Rescue Service from the Executive Office Building; the Office of Emergency Management and Homeland Security; some divisions of the Department of Transportation and the Department of General Services; and the 1st District Police Station. The project will also provide for the relocation of other County functions currently in leased facilities. A public safety memorial will be constructed in coordination with the Public Arts Trust. The property will be acquired under the lease purchase agreement described in the Fiscal Note below.

JUSTIFICATION

Montgomery County Police Headquarters

The Montgomery County Police Headquarters located at 2350 Research Boulevard is crowded and in need of major physical plant repairs and improvements. The building is in generally poor condition. The facility houses a mix of sworn and civilian units, but lacks the separation of law enforcement functions. The building also houses the Forensic unit and the crime laboratories. Because of the lack of space at the current site the Police Department has many of its functions dispersed to other locations in rented space.

Montgomery County Fire and Rescue Service Headquarters

The Montgomery County Fire and Rescue Service Headquarters is located at 101 Monroe Street on the 12th floor of the Executive Office Building (EOB). The space currently houses the Fire Chief, all five department division chiefs, and other key uniformed and administrative staff. However, due to facility and space limitations, other operational and administrative staff are located off-site. This creates inefficiencies for the day-to-day operations of the department. Also the EOB does not provide for needed 24/7 emergency response requirements and adequate parking accommodation.

1st District Police Station

The 1st District Police Station was constructed in 1963 and is about 15,752 square feet while the current needs are about 32,000 square feet. To help with the need for office space, the Police Department has placed a trailer on the site behind the main building. Twenty staff members use this trailer for office space. Based on a recent County study (Facility Condition Assessment, January 2005), the building is in need of major maintenance including new windows and a new roof. The planning and design for a new 1st District Station was approved under Project No. 470703 with the location and schedule to be determined. The GE Technology Park Site is a prime location for this facility.

These public safety facilities are in aging undersized buildings that are in need of extensive rehabilitation. Due to significant ongoing interaction between the Police Department, Fire and Rescue Service, and Homeland Security, these agencies would benefit from co-locating their administrative functions to facilitate their ongoing interaction and to enable the sharing of resources and support services. This co-location will be efficient operationally and will eliminate regular travel between agencies.

Other leased facilities

There are number of County operations that are currently located in various leased facilities. This project will also provide for the relocation of a number of leased facilities which will reduce the County's long term lease costs.

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP
Date First Appropriation	Department of General Services	See Map on Next Page
First Cost Estimate	Department of Transportation	
Current Scope	Department of Police	
Last FY's Cost Estimate	Montgomery County Fire and Rescue Service	
Appropriation Request	Department of Permitting Services	
Appropriation Request Est.	Department of Finance	
Supplemental Appropriation Request	Department of Technology Services	
Transfer	Office of Management and Budget	
Cumulative Appropriation	Washington Suburban Sanitary Commission	
Expenditures / Encumbrances	Special Capital Projects Legislation will be proposed by the County Executive	
Unencumbered Balance		
Partial Closeout Thru		
New Partial Closeout		
Total Partial Closeout		

Public Safety Headquarters -- No. 470906 (continued)

Plans and studies for this project include: "Program of Requirements for The Police-Fire-Rescue Service-Homeland Security Department's Headquarters Facility and Police First District Station", September 2006; M-NCPPC Shady Grove Sector Plan, approved by the Montgomery County Council, January 2006, adopted by the M-NCPPC, March 15, 2006; "Montgomery County Property Use Study Updated Briefing to County Council", April 29, 2008 (based on Staubach Reports); "Montgomery County Smart Growth Initiative Update to County Council", September 23, 2008.

OTHER

The FY09 appropriation includes \$2.4 million for Planning and Design and \$10.5 million for building system replacements and upgrades.

-A pedestrian impact analysis will be completed for this project during the design phase.

This project includes \$200,000 that must only be used for the construction of a Public Safety Memorial.

As required by Montgomery County Charter 302 and Montgomery County Code Section 20-1, no funds may be spent until Bill 14-09, Special Capital Improvements Project - Public Safety Headquarters, has become effective.

FISCAL NOTE

The County intends to enter into a triple net sublease-purchase agreement which will allow it to exercise its purchase option at any time before April 30, 2014. Ongoing financial analysis will determine when it is in the best interest of the County to acquire the property.

Interim financing will be used for land acquisition in the short term, with permanent funding sources to include G.O. Bonds and Land Sale Proceeds.

The approved 1st District Police Station project (No. 470703) will be closed out.